

**BINDER & SCHWARTZ LLP**

Eric B. Fisher  
Lindsay A. Bush  
Tessa B. Harvey  
366 Madison Avenue, 6th Floor  
New York, New York 10017  
Telephone: (212) 510-7008

*Attorneys for Khronos LLC*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

-against-

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

-----X  
In re:

BERNARD L. MADOFF,

Debtor.  
-----X

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

**DECLARATION OF RAFAEL MAYER IN SUPPORT OF KHRONOS LLC'S  
MOTION TO QUASH RULE 2004 SUBPOENA**

I, Rafael Mayer, declare as follows:

1. I am the Managing Member of Khronos LLC (“Khronos”) and submit this declaration in support of Khronos’ motion to quash the subpoena issued pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (“Rule 2004”).

2. More than ten years ago, on July 7, 2010, Irving H. Picard, as Trustee (the “Trustee”) for the liquidation of Bernard L. Madoff Investment Services LLC (“BLMIS”) served identical Rule 2004 subpoenas on David Mayer and me, as officers of Khronos (each, an “Original Subpoena”). A true and correct copy of the Original Subpoena addressed to me is attached hereto as Exhibit A.

3. Our counsel at the time, Katten Muchin Rosenman LLP, submitted responses and objections to the Original Subpoenas on July 29, 2010. On October 6, 2010, in response to the Original Subpoenas, our counsel produced approximately 20,000 pages of documents to the Trustee from Khronos’ files consisting of financial documents, agreements, general corporate documents, BLMIS account statements, and correspondence.

4. A decade later, the Trustee served another Rule 2004 subpoena (the “Current Rule 2004 Subpoena”), dated July 13, 2020, directed to Khronos. A true and correct copy of the Current Rule 2004 Subpoena is attached hereto as Exhibit B.

5. Khronos ceased providing any accounting or financial services to Prince Assets LDC on December 31, 2015, and thus is no longer in possession of any documents or information relating to Prince.

\* \* \*

I declare under penalty of perjury under the laws of the United States that the foregoing is  
true and correct.

Executed on August 18, 2020

  
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Rafael Mayer